

FILED

NOT FOR PUBLICATION

OCT 28 2013

UNITED STATES COURT OF APPEALS

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

In re: GREYSTONE NEVADA, LLC;
U.S. HOME CORPORATION,

No. 13-70546

DC Nos. 2:11 cv-01422 RCJ
2:11 cv-01424 RCJ

GREYSTONE NEVADA, LLC; U.S.
HOME CORPORATION,

D Nev., Las Vegas

Petitioners,

ORDER

v.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA, LAS
VEGAS,

Respondent,

ANTHEM HIGHLANDS COMMUNITY
ASSOCIATION; FIESTA PARK
HOMEOWNERS' ASSOCIATION,

Real Parties in Interest.

Before: TASHIMA, W. FLETCHER, and NGUYEN, Circuit Judges.

The Court understands from an examination of the District Court Docket that, on May 28, 2013, the District Court dismissed all of the counterclaims of Real Parties in Interest against Petitioners. Inasmuch as the writ of mandamus sought in

this proceeding is an order directing that the HOAs' construction-defect counterclaims be dismissed, counsel shall be prepared to address at oral argument why this mandamus proceeding has not thereby been rendered moot.